



Via ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

**APPLICATION GRANTED
SO ORDERED** *Vern Bro*
VERNON S. BRODERICK
U.S.D.J. 6/6/23

Re: ***Judy Kirton v. Concepts of Independence, Inc.,***
Case No.: 1:22-cv-08552 (VSB)

Dear Judge Broderick:

This firm represents the Plaintiff Judy Kirton (“Plaintiff”) in the above-referenced putative collective and class action against Defendant Concepts of Independence, Inc. (“Defendant”), for alleged violations of the Fair Labor Standards Act and the New York Labor Law. Having reached a settlement in principle, the Court set a deadline of June 7, 2023, for Plaintiff to submit her motion for approval, pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), with respect to Plaintiff’s FLSA claims. However, the parties have yet to finalize the specific terms of the settlement agreement, and are in the process of approving and executing same. As such, the parties require a brief three-week extension of time to allow the parties to finalize and execute the agreement prior to the submission of their motion for approval. Accordingly, Plaintiff requests, with Defendants’ consent, an extension of time to submit the parties’ motion for approval from June 7, 2023, until June 28, 2023. No other deadlines would be affected by this extension. This is the parties’ first request for an extension of time to file their motion for approval.

We thank the Court for its consideration of this request.

Respectfully submitted,

/S/ Matthew J. Farnworth, Esq.
MATTHEW J. FARNWORTH, ESQ.

C: All Counsel of Record *via* ECF